

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

|                          |   |                     |
|--------------------------|---|---------------------|
| -----                    | X |                     |
| UNITED STATES OF AMERICA | : |                     |
|                          | : | 07 CR. 950 (VM)     |
|                          | : |                     |
| - against -              | : | <b><u>ORDER</u></b> |
|                          | : |                     |
|                          | : |                     |
| RICHARD CHAVERS,         | : |                     |
|                          | : |                     |
| Defendant.               | : |                     |
| -----                    | X |                     |

**VICTOR MARRERO, United States District Judge.**

The Government (see attached letter) requests that the conference scheduled for April 4, 2008 be adjourned for two weeks. The next conference is scheduled for Friday, April 18, 2008 at 10:45 a.m.

All parties to this action consent to an exclusion of the adjourned time from the Speedy Trial Act until April 18, 2008.

It is hereby ordered that the adjourned time shall be excluded from speedy trial calculations. This exclusion is designed to guarantee effectiveness of counsel and prevent any possible miscarriage of justice. The value of this exclusion outweighs the best interests of the defendants and the public to a speedy trial. This order of exclusion of time is made pursuant to 18 U.S.C. §§ 3161(h)(8)(B)(ii) & (iv).

**SO ORDERED:**

Dated: New York, New York  
4 April 2008



Victor Marrero  
U.S.D.J.

**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

April 3, 2008

**BY HAND AND FAX**

The Honorable Victor Marrero  
United States District Judge  
Southern District of New York  
Daniel P. Moynihan U.S. Courthouse  
500 Pearl Street  
New York, New York 10007

**Re: *United States v. Richard Chavers*  
07 Cr. 950 (VM)**

Dear Judge Marrero:

I am writing to seek to adjourn a pre-trial conference and to exclude time in the above-referenced case. At a pre-trial conference on December 21, 2007, Your Honor set a pre-trial conference for February 15, 2008 at 3:45 pm. The pre-trial conference has since been adjourned, ultimately to April 4, 2008 at 4:30 pm. Defense counsel and I have been discussing a potential pre-trial disposition of this case, and would request an adjournment in order to continue those discussions, as well as for defense counsel to continue reviewing discovery.

The Government proposes an adjournment of at least two weeks in order to allow the parties to attempt to reach a pre-trial disposition of the case. (I will be on trial in front of Judge Crotty the week of April 21, 2008, and on vacation the week of May 5, 2008, but can send a colleague if those weeks are convenient for the Court). Additionally, the Government respectfully requests that time be excluded until March 14, 2008 under the Speedy Trial Act, Title 18, United States Code, Section 3161, *et seq.* so that the parties may continue to discuss disposition, the defendant and defense counsel may continue to review discovery and the defendant may consider pre-trial motions.


Hon. Victor Marrero  
April 3, 2008  
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I have spoken with defense counsel, who has consented to the adjournment and exclusion of time.

Respectfully submitted,

MICHAEL J. GARCIA  
United States Attorney

By:

  
Michael D. Maimin  
Assistant United States Attorney  
Southern District of New York  
(212) 637-2238

cc: Andrew Patel, Esq.